



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed September 12, 2018


United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In Re: GERALD WAYNE KOSSIE

Case # 14-35352-HDH-13

Chapter 13

Debtor

JUDGE HARLIN D. HALE

**ORDER FINDING, DEEMING AND DETERMINING MORTGAGE TO BE CURRENT, OR
DELINQUENT IN THE AMOUNT SET FORTH IN TRUSTEE'S
"NOTICE OF AMOUNT DEEMED NECESSARY TO CURE"**

Pursuant to Local Bankruptcy Rule 3002-2(b), the Chapter 13 Trustee filed and served his "Notice of Amount Deemed Necessary to Cure" ("Notice") (Docket# 104), on the below named mortgage creditor. Such Notice contained negative notice language as authorized by Local Bankruptcy Rule 9007-1, informing the mortgage creditor of their obligation to file and serve a Response within 60 days, or else the information contained in the Notice would be deemed unopposed and/or undisputed.

The Mortgage Creditor:

- Filed a timely Response, indicating it did not dispute the information in the Trustee's Notice.

The Debtor:

- Did not file a Reply and is wholly defaulted.

THEREFORE, IT IS ORDERED that as of **05/11/2018**, the principal amount due on any pre-petition and/or post-petition home mortgage arrearage claim by the below named mortgage creditor to be paid by the Trustee is as follows:

<u>MORTGAGE CREDITOR/HOLDER</u>	<u>PRE/POST</u>	<u>COURT CLAIM #</u>	<u>TRUSTEE CLAIM #</u>	<u>AMOUNT</u>
US BANK TRUST NA	PRE-PETITION MORTGAGE ARREARAGE	4	30	\$0.00
US BANK TRUST NA	POST-PETITION MORTGAGE ARREARAGE	4	39	\$0.00

IT IS FURTHER ORDERED that except as otherwise provided hereinabove, the **HOME MORTGAGE REGULAR MONTHLY PAYMENT** on the mortgage held by US BANK TRUST NA, which is not being paid by the Chapter 13 Trustee is **CURRENT** as of 05/21/2018.

IT IS FURTHER ORDERED that the above named creditor shall be precluded from asserting any other pre-petition (cure) amounts or post-petition arrearages that allegedly accrued before the date of the Notice, 05/11/2018, in any Contested Matter or Adversary Proceeding in this case, or in any other manner, matter, or forum after a discharge in this case, unless the Court determines, after notice and a hearing that the failure to timely file a Response was substantially justified or is harmless.

IT IS FURTHER ORDERED that as of Date of Notice the **DEBTOR(S) PLAN PAYMENT DELINQUENCY WAS \$886.97.**

End of Order

Approved by:

/s/ Tom Powers
 Standing Chapter 13 Trustee
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